

### **DETAILED ACTION**

1. Applicant's election without traverse of group I claims in the reply filed on \*\*\* is acknowledged.

Claims 1-11, 19-21, 24 have been canceled.

Claims 12-18, 22-23, 25-26 are pending.

Applicants elected the method of treating gastroesophageal disorder as the elected method.

2. *Examiner's Amendment*

Authorization for this examiner's amendment was given in a telephone interview with Mr. James. T. Jones on Nov. 19, 2009.

Claim 25 lines 2-5 delete the terms "gastrointestinal disease, constipation, nausea, central nervous system disease, Alzheimer's disease, cognitive disorder, emesis, migraine, neurological disease, pain, diabetes, apnea syndrome, cardiac failure, or heart arrhythmia"

The gastroesophageal disorders are rejoined with the elected compounds as amended to obviate any 112 issues of the claims. The restriction of the remaining disorder of claim 25 is *maintained* without prejudice against applicants' filing of divisional applications.

3. *Reason for allowance*

The following is an examiner's statement of reasons for allowance:

Applicants have limited the claims to a small group of compounds for which the closes prior art is US 6,979,690 which is distinct and unobvious of the instant claims in that the instant R2 is alkyl with 1 to 4 carbons while the prior art has an amino substituent. No motivation to replace an amino with an unsubstituted alkyl. Claims 12-18, 22-23, 25-26 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Celia Chang, Ph. D. whose telephone number is 571-272-0679. The examiner can normally be reached on Monday through Thursday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet L. Andres, Ph. D., can be reached on 571-272-0867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*OACS/Chang*  
*Nov. 19, 2009*

*/Celia Chang/  
Primary Examiner  
Art Unit 1625*